

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.)
)
)
HENRY CRAIG TAYLOR,)
)
)
Defendant.)
)
)

4:06CR3043

MEMORANDUM AND ORDER

Defendant has moved for release pending sentencing, and proposes that he be permitted to live in a halfway house and undergo intensive outpatient drug treatment. The government opposes the motion, even though the defendant has cooperated with the government in its effort to fight drug crime. A recent substance abuse evaluation recommends that the defendant participate in intensive outpatient treatment.

The government correctly argues that 18 U.S.C. § 3143(a)(2) precludes release of a convicted person pending sentencing in all but a few exceptional circumstances. The defendant's guilty plea has been accepted, and he has not shown such circumstances to be present in this case. The defendant's cooperation with the government, without more, is insufficient to trigger the exception, and although treatment would undoubtedly be in the defendant's interest, that, too, is insufficient to justify his release.

IT THEREFORE HEREBY IS ORDERED,

The motion for release, filing 19, is denied.

DATED this 19th day of April, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge